

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

SCOTT W. HELFINSTINE,	:	Case No. 1:18-cv-679
Plaintiff,	:	
	:	Judge Timothy S. Black
vs.	:	
	:	Magistrate Judge Karen L. Litkovitz
MR. LAWLESS, <i>et al.</i> ,	:	
Defendants.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 5)**

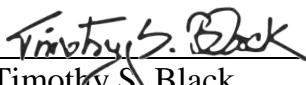
This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on October 22, 2018, submitted a Report and Recommendation (Doc. 5). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the Report and Recommendation should be and is hereby adopted in its entirety. Accordingly:

1. The Magistrate Judge's Report and Recommendation (Doc. 5) is **ADOPTED**; and
2. The Complaint is **DISMISSED with prejudice** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1), with the exception of Plaintiff's First Amendment retaliation claim against Defendant Lawless and his Eighth Amendment claims against Defendants Lawless, Lewis, and Steven.

**IT IS SO ORDERED.**

Date: 12/11/18

  
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Timothy S. Black  
United States District Judge